STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of LIBBY TREBBLE, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MONICA MOTIU,

Respondent-Appellant,

and

BRIAN TREBBLE,

Respondent.

UNPUBLISHED
November 3, 2000

No. 222236
Oakland Circuit Court
Family Division
LC No. 95-060533-NA

Before: Griffin, P.J., and Cavanagh and Gage, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from a family court order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i) and (c)(ii); MSA 27.3178(598.19b)(3)(c)(i) and (c)(ii). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Respondent-appellant's due process claim regarding matters raised below on discovery, the request for a copy of the psychological evaluations, and the request for an expert to be appointed at public expense, were not presented to the trial court and, therefore, not preserved for appeal. *In re Hildebrant*, 216 Mich App 384, 389; 548 NW2d 715 (1996). We further note respondent-appellant has mischaracterized the termination proceeding as a "trial" within the meaning of MCR 5.922(A). Rather, the term "trial" refers to the adjudication hearing on the question of jurisdiction. MCR 5.903(A). A termination proceeding is generally conducted in accordance with the procedures prescribed in MCR 5.974. In any event, having limited our review to plain error affecting respondent-

appellant's substantial rights, we find no basis for relief. Cf. *People v Carines*, 460 Mich 750; 597 NW2d 130 (1999); *In re Snyder*, 223 Mich App 85, 92; 566 NW2d 18 (1997). Respondent-appellant has not cited any relevant precedent supporting her due process claim or otherwise shown fundamental unfairness. *In re Brock*, 442 Mich 101, 110-111; 499 NW2d 752 (1993).

Next, the family court did not clearly err in finding that at least one statutory ground for termination was established by clear and convincing evidence. The court's determination that § 19b(3)(c)(i) was proven by clear and convincing evidence is alone sufficient to establish the requisite statutory ground. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, while the family court did not have the benefit of our Supreme Court's opinion in *In re Trejo*, 462 Mich 341; 612 NW2d 173 (2000), when evaluating the child's best interests, we are satisfied the family court did not clearly err in terminating respondent-appellant's parental rights. The evidence did not establish that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Trejo, supra*.

Affirmed.

/s/ Richard Allen Griffin
/s/ Mark J. Cavanagh
/s/ Hilda R. Gage